

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LASER DESIGN INTERNATIONAL, et al.,

No. C 03-1179 JSW (MEJ)

Plaintiffs,

vs.

ORDER DIRECTING DEFENDANTS TO
MAKE A SHOWING RE: PLAINTIFFS'
REQUEST TO FILE DOCUMENTS
UNDER SEAL

BJ CRYSTAL, INC., et al.,

Defendants.

AND RELATED COUNTERCLAIMS

On July 21, 2005, Plaintiffs filed a miscellaneous administrative request to file under seal, certain exhibits to the Declaration of Brian E. Mitchell in support of their motion for sanctions against Vitro Laser GmbH ("Vitro"), Cerion GmbH ("Cerion"), and Perkins Coie LLP. Plaintiffs filed their sealing motion based on their belief that Vitro and Cerion may allege the information contained in the exhibits are confidential.

As a public forum, the Court will only entertain requests to seal that establish good cause and are narrowly tailored to seal only the particular information that is genuinely privileged or protectable as a trade secret or otherwise has a compelling need for confidentiality. Here, Plaintiffs relying on their belief that Defendants may allege the information contained in the exhibits are confidential. Therefore, Defendants are hereby ORDERED to either:

- 1) make a showing as to why the exhibits attached to the Mitchell Declaration should be filed under seal; or

2) if the information is not confidential, then Defendants shall file a stipulation stating as such. Furthermore, Defendants shall file their response to this order no later than August 12, 2005. The Court shall reserve ruling on Plaintiffs' request to file certain documents under seal pending the receipt of Defendants' response to this order.

IT IS SO ORDERED.

Dated: August 2, 2005



MARIA ELENA JAMES
United States Magistrate Judge